

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Keiichi IWAMURA) : Examiner: Patrick L. Edwards
Appln. No.: 09/660,444) : Group Art Unit: 2624
Filed: September 12, 2000) : Confirmation No. 6601
For: IMAGE PROCESSING) :
APPARATUS AND METHOD) :
AND STORAGE MEDIUM) : March 7, 2007

MAIL STOP PETITION

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION

Sir:

I am a partner in the law firm of Fitzpatrick, Cella, Harper & Scinto, 30 Rockefeller Plaza, New York, New York 10112 ("the Firm"), and I am an attorney of record in the above-identified application. I am the attorney in the Firm who is primarily responsible for the prosecution of the subject patent application.

A Notice of Abandonment concerning the subject application, dated February 9, 2007, was received by the Firm on February 15, 2007. A copy of the Notice is attached. The Notice indicates that the application was abandoned for failure to respond to an Office Action mailed on November 16, 2005.

I have reviewed the pertinent records, including the entire file of the subject application and the attached docketing records, and I have concluded that the November 16, 2005 Office Action was not received. In accordance with M.P.E.P. § 711.03(c), attached is a copy of the docket record where the response to the November 16, 2005 Office Action would have been entered had that Office Action been received and docketed. Specifically, attached is a copy of the Firm's Master Docket record showing all replies docketed as being due on February 16, 2006, which is the date three months from the mailing date of the November 16, 2005 Office Action. (The first three digits of the application numbers have been redacted to preserve confidentiality.)

In view of the foregoing, Applicant's undersigned representative submits that the November 16, 2005 Office Action was never received by the Firm. Withdrawal of the holding of abandonment, and remailing of the November 16, 2005 Office Action, are requested pursuant to M.P.E.P. § 711.03(c).

The Commissioner is authorized to charge any fee required for consideration of this Petition to Deposit Account No. 06-1205.

Applicant's representative can be reached by telephone in our Washington, DC office at 202-530-1010. All correspondence should continue to be directed to the mailing address below.

Respectfully submitted,



Attorney for Applicants
Brian L. Klock
Registration No. 36,570

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200